

Torrance, California  
October 13, 1948

MINUTES OF A REGULAR MEETING  
OF THE CITY COUNCIL OF  
THE CITY OF TORRANCE

The City Council of the City of Torrance convened in a Regular Meeting in the Council Chamber, City Hall, Torrance, California, on Wednesday, October 13, 1948 at 8:10 p.m.

Mayor Sherfey called the meeting to order.

Clerk Bartlett called the roll, those answering present being Councilmen: Drale, Haggard, Jackson, Powell and Sherfey. Absent: Councilmen: None.

All those present in the Council Chamber saluted the Flag.

Councilman Jackson moved that the minutes of a Regular Meeting held September 28, 1948 be approved as written. Councilman Drale seconded the motion which was carried unanimously.

WRITTEN COMMUNICATIONS

A letter from the Torrance Junior Woman's Club was read expressing its gratitude for being granted free use of the Civic Auditorium October 25, 1948.

A communication from the Chamber of Commerce was read thanking the Council for participating in the Factory Frolic Parade held September 18, 1948.

A communication from Mr. F. A. Applegate, Director, Adult Education, Torrance Unified School District, was read requesting permission to use the city recreational building at Greenwood and Sonoma Streets, beginning October 19, 1948, in which to conduct several day classes of the Adult Education Program.

Councilman Drale moved that the request for use of the city recreational building be granted. Councilman Haggard seconded the motion which was carried unanimously.

A communication from Rev. C. J. Wood, Pastor, St. Joseph Church, Pueblo, was read requesting use of the Civic Auditorium on the evening of October 23, 1948, for a benefit dance sponsored by the Pueblo Recreation Center and St. Joseph Church.

The request received Chief Stroh's approval.

Councilman Haggard moved that the request be referred to City Engineer Stevens for action. Councilman Jackson seconded the motion which was carried unanimously.

A communication from Cecil H. Hazzard was read requesting that the 900 block of Acacia Street, from Sierra Street to the railroad track be beautified by the addition of trees to conform with the rest of the street.

Councilman Drale moved that the request be referred to the City Engineer for study and recommendation. Councilman Powell seconded the motion which was carried unanimously.

A communication from Arthur C. King was read requesting a hearing to appeal his case from the decision of the Planning Commission, which denied his application for a Change of Zone, Case No. 143, for the construction and maintenance of a house trailer court on Lot 12, Tract No. 845, situated on 233rd Street.

Councilman Jackson moved that a Public Hearing be held November 9, 1948, at 8:00 p.m. Councilman Powell seconded the motion which was carried unanimously.

A communication from Mr. E. L. Callahan, Vice President, Hollywood Riviera Community Association, was read requesting that those portions in the City of Torrance of Blocks A and B, Tract 10300, Hollywood Riviera, be rezoned for business purposes. The letter asked that this matter be referred to the Planning Commission with a recommendation for early favorable action.

Councilman Drale moved that the communication be referred to the Planning Commission and City Engineer for recommendation. Councilman Jackson seconded the motion which was carried unanimously.

A communication was read from Mr. E. L. Callahan, Vice President, Hollywood Riviera Community Association, supporting the proposal made by the Hollywood Riviera Home Owner's Association for a slight realignment of the city's boundary adjoining Redondo Beach where said boundary passes through Blocks A, B, F and H, Tract 10300; Block P, Tract 10302, and Block F, Tract 10303. It was suggested that City officials be authorized to contact officials of Redondo Beach for the purpose of mutually solving this problem.

There then followed considerable discussion on whether the Planning Commission or the City Council has the authority to change the boundaries.

City Attorney Smith pointed out that the Planning Commission has no authority within the ordinance to change any boundary and that changing the boundaries of the city is something which will have to be handled by the City Council. He explained that this matter will probably require a vote of the people in that locality, which will necessitate an election, thus taking it out of the hands of the Planning Commission whatever their recommendations might be.

Councilman Haggard moved that the City Attorney be instructed to report to the Council his findings in connection with the law and the procedure to be followed in the matter of the change of boundary. Councilman Jackson seconded the motion which was carried unanimously.

A communication from George W. Stevens, City Engineer was read reporting progress in the matter of re-routing of the Santa Fe Railroad along Madrona Avenue, so that the present line along Madrid Avenue could be eliminated. The letter stated that the Company's Engineering Department has completed its study of the suggested re-routing, which was forwarded to the Management's Office as a report and not as a recommendation. The final decision is up to the Company's Board of Directors which to date has not been made.

After some discussion it was agreed to discuss the Santa Fe Railroad situation after the regular order of business was concluded.

A communication from City Engineer Stevens was read submitting the following recommendations for the Council's consideration and approval:

PERSONNEL:

1. That the resignations of Mr. B. C. Buxton and Mr. Grant Barkdull from the Planning Commission be accepted with regrets and with appreciation for past services.
2. That the resignation of Mr. A. M. Dowell from the Civil Service Board be accepted with regret and appreciation for past services.
3. That the City Clerk be appointed Delinquent Sales Tax and License Fee Collector.

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APPROPRIATIONS:

1. For the purchase of additional bleacher parts for use at the Ball Park, the sum of \$122.23 including tax.
2. For payment to the Torrance Area Youth Band for promotion of music, during the period July, August and September, 1948, the sum of \$900.00.
3. For the payment of premiums on Indemnity Insurance, the sum of \$3,455.68.
4. For payment to the L.A. County Road Dept. for highway striping, the sum of \$684.10.
5. For expenses incurred in holding the L.A. County Sanitation Meeting in Torrance, a sum not to exceed \$100.00.
6. That members of the City Council be authorized to attend the dedication of the Columbia Steel plant at Pittsburg, California, Thursday, October 21, with appropriate expenses paid.
7. That Chief Stroh be authorized to attend the Annual Peace Officer's Association Convention at Santa Monica and that appropriate expenses be paid.
8. That the Fire Chief be authorized to make the following purchases:
  - a. 700' of 2½" hose, at a price not to exceed \$1.45 per foot plus tax.
  - b. 700' of 1½" hose, at a price not to exceed \$1.05 per foot plus tax.

MISCELLANEOUS:

1. That the Master Plan for the Torrance Municipal Airport, prepared by the Engineering Department, be approved and forwarded to the Civil Aeronautics Administration for their approval.
2. That a fire hydrant be authorized at 242nd Street and Park Street, in accordance with the recommendation of the Fire Chief.
3. That a \$25.00 deposit, to insure proper clean-up, be required with each permit to sell Christmas trees on vacant lots.
4. That the letter from the Civil Service Commission, requesting an amendment to Ordinance No. 326, be referred to the City Attorney for study and recommendation.
5. That the letter from Police Chief Stroh, requesting changes in Ordinance Nos. 324 and 381, be referred to the City Attorney for study and recommendation.
6. That a request be made to the Federal Government for a special census to be taken at the earliest possible time.
7. That the City Engineer be authorized to obtain bids for the installation of acoustical ceilings and public address systems in the Council Chambers and City Auditorium, also bids for painting the Civic Auditorium and Library.

Councilman Drale moved that the Council concur in the recommendations of City Engineer Stevens. Councilman Powell seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Drale, Haggard, Jackson, Powell and Sherfey. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

A communication was read from John R. Patrick, Secretary, Torrance Planning Commission, advising that at a meeting of the Commission held October 5, 1948, the following matters were considered and acted upon:

CASE NO. 130: Petition of K. Sande Senness for a Zoning Variance to permit the installation of equipment for the purpose of extracting sand and gravel products from a portion of Lot 5, Tract No. 9765, comprising approximately 90 acres, lying between Crenshaw Boulevard and Madison Avenue. This property is located in an A-1 (Light Agricultural) Zone.

At a meeting held July 6, 1948, the motion was made and unanimously carried by the Planning Commission that a permit be issued from the Engineer's office to Mr. Senness, giving him permission to proceed with the core drilling, but that the decision on the Variance be held over until such time as the location of the pit could be decided upon.

At the meeting held October 5, 1948, Mr. Senness appeared before the Commission and reported that successful core tests had been made. Mr. Senness requested that approximately 65 to 70 acres directly west of Crenshaw Boulevard be covered by the Variance. The Commission voted to approve the Variance covering approximately 50 acres west of Crenshaw Boulevard, subject to approval by the City Council of a map giving the legal description of the 50 acres. Said map to be prepared and presented by Mr. Senness.

Councilman Powell moved that the Council concur in the recommendation of the Planning Commission to approve map giving the legal description of the 50 acres requested for variance. Councilman Jackson seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Drale, Haggard, Jackson, Powell and Sherfey. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

CASE NO. 137: Petition of Chanslor-Canfield Midway Oil Company for a Zoning Variance to permit the construction of warehouses and mixing tanks for the Brown Mud Company, to be used for the purpose of mixing oil and water base emulsions used in the drilling of oil wells. This property is now zoned A-1 (Light Agricultural) and consists of a portion of the 50-acre tract owned by said company on the west side of Madrona Avenue, approximately midway between Carson Street and Torrance Boulevard and immediately adjoins an M-2 (Heavy Manufacturing) Zone.

At a meeting of the Planning Commission held September 13, 1948, this Variance was approved. The action was reported to the City Council and at the meeting held September 14, 1948, the Council unanimously carried the motion that the case be referred back to the Planning Commission, and that the Council meet with the Planning Commission to discuss the case so that final action might be taken at the next regular meeting.

As there were no written or oral communications, the Planning Commission unanimously voted to rescind their action of September 13, 1948, and deny the application.

CASE NO. 141: Petition of Irene Shpall for a Zoning Variance to permit the selling of Christmas trees on property located on the corner of 166th Street and Crenshaw Boulevard, between Gardena Boulevard and 166th Street, which is in an A-1 (Light Agricultural) Zone.

A motion was made and unanimously carried to refer this case to the City Council for action.

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Councilman Jackson moved that a permit be granted Irene Shpall to sell Christmas trees on the corner of 166th Street and Crenshaw Boulevard. Councilman Drale seconded the motion which was carried unanimously.

**CASE NO. 143:** Petition of Arthur C. King for a Variance from Land Use Ordinance No. 316, to permit the construction and operation of a Trailer Camp on Lot 12, Tract 845, located on 233rd Street, between Eshelman and Narbonne Avenues. This property is located in an A-1 (Light Agricultural) Zone.

Mr. King filed a petition for a Variance (Case No. 109) for this Trailer Camp on January 23, 1948, which was approved by the Planning Commission on April 6, 1948, but because actual construction was not started within a six month period from the date of filing, the Variance became void and necessitated the filing of a new application.

There were four written and two oral protests to the approval of this Variance.

Because this property is located near oil wells, the Commission unanimously voted to deny the application.

Earlier in the meeting action was taken to set November 9, 1948, at 8:00 p.m., as the time for holding a hearing on Case No. 143.

#### TRACT MAPS:

1. Tentative Tract Map No. 15071 was approved, with the exception of Lots 34 to 52, inclusive. This tract is located on the southwest corner of Redondo Beach Boulevard and Prairie Avenue.

Councilman Jackson moved that the Council concur in the action of the Planning Commission in accepting and approving Tentative Tract Map No. 15071. Councilman Powell seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Drale, Haggard, Jackson, Powell and Sherfey. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

2. Tentative Tract Map No. 13043 was approved, subject to the enlarging of all lots on the map to 6000 square feet per lot, in order to comply with the City Ordinance. This tract is situated between 164th Street and 166th Street, bounded on the east by Gramercy Place and on the west by Arlington Avenue.

Councilman Drale moved that the Council concur in the action of the Planning Commission in approving Tentative Tract Map No. 13043. Councilman Jackson seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Drale, Haggard, Jackson, Powell and Sherfey. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

3. Final Tract Map No. 14338 was approved, subject to minor engineering corrections, the posting of the necessary bonds and the enlarging of lots to meet the City Ordinance requiring 6000 square feet per lot. This tract is situated between 162nd Street and 164th Street, bounded on the east by Gramercy Place and on the west by Arlington Avenue.

Councilman Jackson moved that the Council concur in the action of the Planning Commission in approving Final Tract Map No. 14338. Councilman Powell seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Drale, Haggard, Jackson, Powell and Sherfey. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

#### MISCELLANEOUS:

1. Permission was granted K. M. Niles to construct a roofed patio at 123 Calle de Andalucia.

Clerk Bartlett presented for adoption the revised 1948-49 budget, and explained that the former budget had been adopted before the assessed valuations were received from the County Auditor's office; also that the 10¢ Advertising Fund has been eliminated and the Park, Music and Chamber of Commerce have been included in the General Fund. The revised budget figures are as follows: Estimated Receipts \$658,720.00; Estimated Expenses \$586,137.00; Unallocated balance \$72,583.00.

Councilman Jackson moved that revised 1948-49 Budget for the City of Torrance be adopted as read. Councilman Drale seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Drale, Haggard, Jackson, Powell and Sherfey. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Clerk Bartlett presented for final reading and read title to:

ORDINANCE NO. 431

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING LAND USE ORDINANCE NO. 316, RECLASSIFYING PORTIONS OF LOTS 1, 2 AND 3, BLOCK 80, TORRANCE TRACT; ALL OF BLOCKS 81 AND 87, TORRANCE TRACT; AND LOTS 1 TO 12, INCLUSIVE, TRACT NO. 4984, FROM AN R-1 (SINGLE FAMILY RESIDENTIAL) TO AN R-2 (TWO FAMILY RESIDENTIAL) ZONE.

Councilman Powell moved that further reading of Ordinance No. 431 be dispensed with. Councilman Jackson seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Drale, Haggard, Jackson, Powell and Sherfey. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Councilman Powell moved that Ordinance No. 431 be adopted for final reading. Councilman Jackson seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Drale, Haggard, Jackson, Powell and Sherfey. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Clerk Bartlett presented for final reading and read title to:

ORDINANCE NO. 432

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ESTABLISHING BOULEVARD STOPS ON CERTAIN STREETS IN THE CITY OF TORRANCE.

Councilman Powell moved that further reading of Ordinance No. 432 be dispensed with. Councilman Jackson seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Drale, Haggard, Jackson, Powell and Sherfey. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Councilman Jackson moved that Ordinance No. 432 be adopted for final reading. Councilman Drale seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Drale, Haggard, Jackson, Powell and Sherfey. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Clerk Bartlett presented for final reading and read title to:

ORDINANCE NO. 433

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ESTABLISHING TRAFFIC CONTROL INSTALLATIONS ON CERTAIN STREETS IN THE CITY OF TORRANCE.

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Councilman Jackson moved that further reading of Ordinance No. 433 be dispensed with. Councilman Drale seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Drale, Haggard, Jackson, Powell, and Sherfey. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Councilman Powell moved that Ordinance No. 433 be adopted for final reading. Councilman Jackson seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Drale, Haggard, Jackson, Powell and Sherfey. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Clerk Bartlett presented for final reading and read title to:

ORDINANCE NO. 434

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE CREATING AND ESTABLISHING, UNDER AND PURSUANT TO THE PROVISIONS OF ARTICLE VII, CHAPTER 3 OF THE CITY CHARTER OF THE CITY OF TORRANCE, THE OFFICE OF DELINQUENT SALES TAX AND DELINQUENT LICENSE FEE COLLECTOR; DEFINING THE DUTIES INCIDENTAL TO SAID OFFICE; FIXING THE COMPENSATION TO BE PAID FOR THE PERFORMANCE OF THE DUTIES OF SAID OFFICE; THE APPOINTMENT OF AN OFFICER TO FULFILL SAID DUTIES; AND REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE.

Councilman Jackson moved that further reading of Ordinance No. 434 be dispensed with. Councilman Powell seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Drale, Haggard, Jackson, Powell and Sherfey. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Councilman Powell moved that Ordinance No. 434 be adopted for final reading. Councilman Jackson seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Drale, Haggard, Jackson, Powell and Sherfey. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Clerk Bartlett presented and read title to:

RESOLUTION NO. 1934

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADOPTING BUDGET AND APPROVING FIRST SUPPLEMENTAL MEMORANDUM OF AGREEMENT FOR EXPENDITURE OF GAS TAX ALLOCATION FOR MAJOR CITY STREETS.

Councilman Drale moved that Resolution No. 1934 be adopted. Councilman Jackson seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Drale, Haggard, Jackson, Powell and Sherfey. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Clerk Bartlett presented and read in full the following special resolution:

COMMENDATION OF THE CITY COUNCIL OF THE CITY OF TORRANCE COMMENDING AN HEROIC ACT OF ONE RUTH ORIANIA IN THE SAVING OF THE LIFE OF A HUMAN BEING FROM DROWNING IN THE BUMP HOLE AT 174TH STREET AND NORMANDIE AVENUE.

At the conclusion of the reading, Mayor Sherfey presented Miss Ruth Orania with the resolution subscribed to by the Mayor and City Clerk of the City of Torrance, together with an annual pass on the Torrance Municipal Bus Lines for the ensuing year, as a token of the Council's appreciation of her heroic act.

At 9:00 p.m., Mayor Sherfey declared a ten minute recess before proceeding with oral communications and the Santa Fe Railroad franchise matter.

At 9:10 p.m. the meeting reconvened.

#### ORAL COMMUNICATIONS

Residents along Madrid Avenue asked the Council for a report on the proceedings to date with respect to the removal of the Santa Fe tracks along that street.

City Engineer Stevens reread his communication, which was read earlier in the meeting, reporting progress to date. He enlarged on several points in the letter, namely, who was to pay for the re-routing, and whether or not the same objections would exist at a new location. He suggested that a rezoning might eliminate this objection.

C. C. Elder and Mrs. R. C. Brown, representing the Madrid Avenue Improvement Association, presented most of the arguments against the Santa Fe. It seemed to be the general consensus of opinion that the Council should proceed to carry out the action taken at its meeting of August 10, 1948, that, "if nothing has been done in sixty days that the City Attorney proceed with the temporary injunction prohibiting the Santa Fe Railroad from transporting and traversing over streets and alleys of the City of Torrance, over which there is no franchise."

Councilman Drale asked the City Attorney if, in his opinion, it were possible for the Santa Fe Railroad to obtain an automatic franchise by its continued operation over their present route.

Attorney Smith replied that an easement by prescription will result next July if nothing is done, but an action commenced will stop the statute from running, but in five years the Santa Fe will have an easement over those streets.

Councilman Haggard asked the City Attorney if he could give an estimate of the probable expense to the City which this litigation would entail.

City Attorney Smith stated as follows: "If we had no one to deal with but the State law we could at least stop the railroad from crossing our streets."

In answer to Councilman Haggard's question, "it would cost the City of Torrance \$20,000.00 for legal talent, provided there was a contest put up by the Santa Fe. The Santa Fe is controlled by the Interstate Commerce Commission of the United States Government, and if the Santa Fe desires to move the tracks from Madrid Avenue to Madrona Avenue, they would first have to obtain permission from the Interstate Commerce Commission to change the route. As soon as I file an injunction in the State Courts, the railroad will immediately move to transfer this case to the United States Courts on the grounds of a diversity of citizenship, and we can't stop them. Then we are fighting in the United States Courts, and at my age I will not live long enough for this case to get to the Supreme Court, as it takes years. If the Santa Fe loses in the District Court, they will appeal the case and it will go to the United States Circuit Court in San Francisco where the case will be heard, and if they are not satisfied with the decision they will take it to the Supreme Court. If we confer with the Legal Department of the Santa Fe something might be accomplished. The Santa Fe does not go hazardous at anything; they refer such questions to their legal counsel, and that is where the decision finally rests."

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City Attorney Smith continued:

"Sometime ago I ordered a preliminary title report brought down showing who owns the streets over which this railroad traverses. The City of Torrance does not own some of the streets. The Santa Fe owns the property in fee and have owned it before the City of Torrance was incorporated. Whether we can condemn by eminent domain is another type of litigation. I want it known that it will be an expensive, long drawn out fight. If the Santa Fe officials are willing to cooperate with the City of Torrance, we may remedy this situation without litigation."

Councilman Powell explained that the Planning Commission and City Council are contemplating a re-zoning program which plan, if it goes through, will automatically have a tendency to solve the Santa Fe routing problem, and it was his opinion that they should be guided by the City Attorney, who should handle this problem for the City by contacting the Santa Fe officials.

Councilman Haggard suggested that an assessment district be formed in that particular district to pay for the cost of the litigation.

The residents interested in this case were in favor of having the City Attorney consult with the attorneys for the Santa Fe for the purpose of working out an amicable solution to the problem, and if no results were obtained, to proceed with an action against the railroad.

Mrs. Sullivan explained that because the warning bell was swinging for more than ten minutes at the Torrance Boulevard crossing, while an engine was parked on a side track, the children were afraid to cross the tracks, and she declared that the health and lives of the children are as important as the big industries.

Councilman Powell moved that all bills properly audited be paid. Councilman Drale seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Drale, Haggard, Jackson, Powell and Sherfey. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Mrs. Young asked if a temporary injunction is obtained, would the railroad stop running the trains until the suit is settled.

City Attorney Smith replied that this would depend on who the Judge is, and if he grants the injunction.

Mr. R. I. Plomert, Jr., of the Industries Tax Committee, asked if the rail service to any of the industries within the city would be affected by the injunction.

City Attorney Smith replied that this would only affect the crossing of whichever street is selected.

It was decided that City Attorney Smith be given several days in which to confer with the attorneys for the Santa Fe Railroad advising them of the determined wishes of the people to have the tracks removed from Madrid Avenue; and that he have sufficient time in which to receive the title report on the ownership of the various streets and alleys over which the railroad passes before filing an injunction to stop the Santa Fe from operating its trains over city owned streets.

At 10:20 p.m., upon motion of Councilman Drale, seconded by Councilman Haggard, and unanimously carried, the meeting adjourned.

APPROVED:

  
MAYOR OF THE CITY OF TORRANCE

  
CITY CLERK OF THE CITY OF TORRANCE